



Federal Communications Commission
Washington, D.C. 20554

June 30, 2021

DA 21-775

Douglas Barley, Chairman
Julie Mathis, VP – Domestic Network
Sam Tawfik
Telco Group, Inc.
30-50 Whitestone Expressway, 4th Floor
Flushing, NY 11354

Via Certified Mail, Return Receipt Requested

Re: Potential Reclamation of Telco Group, Inc.’s International Signaling Point Code, 3-195-1 (New York, NY)

Dear Messrs. Barley and Tawfik and Ms. Mathis:

By this letter, we inform you of our intent to reclaim the above-captioned International Signaling Point Code (ISPC) provisionally assigned to Telco Group, Inc. (TGI) unless you respond to this letter within thirty (30) days, by **July 30, 2021** and indicate whether TGI is still using the code.

The Federal Communications Commission (Commission), as the Administrator for the United States, assigns ISPCs for Signaling System No. 7 networks under ITU-T Recommendation Q.708.¹ In 2003, the Commission granted TGI’s application for an ISPC in New York, NY and provisionally assigned it ISPC 3-195-1.² The Commission has explained that ISPCs are a scarce resource and “[a]s a result, code assignments are conditional upon their being used within one year lead time, so that the Commission can reassign unused codes to another carrier.”³ Finally, ITU-T Recommendation Q.708 provides that the Commission should withdraw an ISPC assignment if the code is “no longer in use or required” by the operator, among other reasons.⁴

¹ International Telecommunication Union (ITU), ITU-T Recommendation Q.708 (03/99), Series Q: Switching and Signalling, Specifications of Signalling System No. 7—Message Transfer Part (MTP), Assignment procedures for international signalling point codes, <https://www.itu.int/rec/recommendation.asp?lang=en&parent=T-REC-Q.708-199903-I> (ITU-T Recommendation Q.708).

² Telco Group, Inc., File No. SPC-NEW-20031009-00041 (filed Oct. 9, 2003) (TGI ISPC Application). Letter from Cathy Hsu, Policy Division, International Bureau, FCC to Julie Mathis, VP – Domestic Network, Telco Group, Inc. (Oct. 31, 2003) (*TGI Grant Letter*)

³ *Reporting Requirements for U.S. Providers of International Telecommunications Services; Amendment of Part 43 of the Commission’s Rules*, Notice of Proposed Rulemaking, 19 FCC Rcd 6460, 6474, para. 36, n.83 (2004); see also *China Telecom (Americas) Corporation*, GN Docket No. 20-109 *et al.*, Order Instituting Proceedings on Revocation and Termination and Memorandum Opinion and Order, 35 FCC Rcd 15006, 15040, para. 58 (2020) (“ISPCs are a scarce resource that are used by international Signaling System 7 (SS7) gateways as addresses for routing domestic voice traffic to an international provider and anyone seeking an ISPC assignment is required by rule to file an application with the Commission and comply with its procedures.”).

⁴ ITU-T Recommendation Q.708 at 6.

Pursuant to ITU-T Recommendation Q.708, the Commission also required TGI to make several certifications in its ISPC application. First, TGI certified that the “[c]ode assignments held in excess of 12 months without implementation must be returned to this Administrator for reassignment.”⁵ To confirm this, the International Bureau (Bureau) in a letter granting the provisional code to TGI on October 31, 2003, required TGI to inform the Bureau of the date the code was implemented.⁶ Second, TGI certified “[it is] aware that all ISPC assignments are provisional and that nobody has a property right in [an] ISPC [and it is] aware that the Commission may take an assigned ISPC and reassign it to another person.”⁷ Third, TGI certified that failure to file an annual International Traffic Data Report would “be interpreted as inactive operation and could, therefore, result in the loss of the carrier’s point code assignment.”⁸ Despite these certifications, we have no record that TGI informed the Bureau of the date the code was implemented or filed any International Traffic Data Reports for the years 2007-2014.⁹

In August 2020 and again in March 2021, Bureau staff attempted to contact TGI to ascertain whether it is using its assigned ISPC. On August 5, 2020, the staff sent inquiries to the email addresses on file, which were returned due to an unknown host error.¹⁰ On March 17 and 22, 2021, staff called TGI’s phone numbers on record, one of which went unanswered and the other now belongs to a different company.¹¹ According to the Commission’s 499 database, TGI’s status has been inactive since March 8, 2007, and all assets “have been sold to another party.”¹² We have no records on file to indicate that TGI transferred ISPC 3-195-1 to another entity.¹³ Finally, staff viewed New York’s Department of State,

⁵ TGI ISPC Application.

⁶ *TGI Grant Letter* at 2 (“[Y]our implementation and notification to this office must occur on or before October 31, 2004.”).

⁷ TGI ISPC Application. In its *TGI Grant Letter*, the Bureau reiterated the certifications, adding that “[u]nless this office is specifically notified of the actual implementation of assignments for planned future service, it will be assumed that those implementations did not occur and such assignments will expire, making those particular codes available for reassignment.” *TGI Grant Letter* at 2.

⁸ TGI ISPC Application.

⁹ In 2017, the Commission eliminated the requirement that U.S. providers of international telecommunications services file annual Traffic and Revenue Reports. *See Section 43.62 Reporting Requirements for U.S. Providers of International Services; 2016 Biennial Review of Telecommunications Regulations*, IB Docket Nos. 17-55, 16-131, Report and Order, 32 FCC Rcd 8115 (2017). Providers, including TGI, were required to file the final traffic and revenue data for calendar year 2015. Our records show that STi Prepaid, LLC acquired the assets of TGI in 2007. *International Authorizations Granted*, Report No. TEL-01122, DA No. 07-1085, Public Notice, 22 FCC Rcd. 4594 (IB 2007). However, we have no records to indicate specifically that TGI transferred its ISPC to STi Prepaid, LLC as the application for the assignment of TGI’s international section 214 authorization to STi Prepaid, LCC did not mention TGI’s ISPC. TELCO GROUP, INC. and STi PREPAID, LLC, Application for Consent to Assign International Authorization and Blanket Domestic Authorization pursuant to Section 214 of the Communications Act of 1934, as Amended, ITC-ASG-20070124-00033 (filed Jan. 24, 2007).

¹⁰ Emails from Arthur Lechtman, Attorney-Advisor, Telecommunications and Analysis Division, International Bureau to Sam Tawfik and Julie Mathis, Telco Group, Inc. (mariep@telcogroupinc.com; juliem@telcogroupinc.com) (Aug. 5, 2020, 9:22 AM); Return email from Mail Delivery Subsystem to Arthur Lechtman, Attorney-Advisor, Telecommunications and Analysis Division, International Bureau (Aug. 5, 2020, 9:22 AM). *See also* Attachment A.

¹¹ Staff called the following telephone numbers: 718-358-5390 and 888-784-8750.

¹² FCC Form 499 Filer Database, <https://apps.fcc.gov/cgb/form499/499detail.cfm?FilerNum=823006> (viewed Apr. 1, 2021).

Division of Corporations website, and according to that website, TGI is still active and its Flushing, NY address remains unchanged.¹⁴ Based on our records and our inability to contact a representative for TGI however, we believe that TGI may no longer be providing telecommunications services and therefore is no longer using its assigned ISPC.

We request that you respond to this letter by **July 30, 2021**, and indicate the date the code was implemented and describe the current use of TGI's ISPC (3-195-1). A failure to respond to this letter will serve as confirmation that TGI is no longer using its provisionally assigned ISPC and has failed to comply with our ISPC requirements. Consistent with the terms of ITU-T Recommendation Q.708, we will reclaim the ISPC (3-195-1) and immediately make the code available for reassignment if you fail to respond to this letter as requested. We are addressing this letter to the most recent contacts and addresses of record provided by TGI.

If you have any questions please contact me at (202) 418-7370 or Francis.Gutierrez@fcc.gov or my colleague Arthur Lechtman at (202) 418-1465 or Arthur.Lechtman@fcc.gov.

Sincerely,

/Francis Gutierrez/

Francis Gutierrez
Deputy Chief, Telecommunications and Analysis
Division
International Bureau

cc: National Registered Agents, Inc. (DC Agent for Service of Process)
1090 Vermont Avenue, NW, Suite 910
Washington, DC 20005
accounting@nrai.com

Telco Group, Inc. c/o Herrick Feinstein LLP
ATTN: John R. Goldman
2 Park Avenue
New York, NY 10016

¹³ TGI's ISPC assignment was to "strictly fit the [ITU] guidelines," which include a requirement that operators notify an administrator of any transfer of the ISPC such as in the case of a merger or acquisition. *See TGI Grant Letter* at 1; ITU-T Recommendation Q.708, Section 7.10. Absent any record evidence that TGI specifically transferred its ISPC, we presume that TGI has retained its ISPC continuously since it received this provisional assignment. *See also* n. 9, *supra*.

¹⁴ *See* New York, Department of State, Division of Corporations, Search Our Corporation and Business Entity Database, <https://apps.dos.ny.gov/publicInquiry/>. The New York records also provide the name and address of an entity for service of process, to which we are sending a copy of this letter (the law firm of Herrick Feinstein LLP).

Attachment A

-----Original Message-----

From: Mail Delivery Subsystem <MAILER-DAEMON@mx0a-0024ed01.pphosted.com>
Sent: Wednesday, August 5, 2020 9:22 AM
To: prvs=54865c8718=arthur.lechtman@fcc.gov
Subject: Returned mail: see transcript for details

The original message was received at Wed, 5 Aug 2020 13:22:05 GMT from m0102176.pops.net [127.0.0.1]

----- The following addresses had permanent fatal errors ----- <mariep@telcogroupinc.com>
(reason: 550 Host unknown)
<juliem@telcogroupinc.com>
(reason: 550 Host unknown)

----- Transcript of session follows -----
550 5.1.2 <juliem@telcogroupinc.com>, <mariep@telcogroupinc.com>... Host unknown (Name server: telcogroupinc.com.: host not found)

From: Arthur Lechtman <Arthur.Lechtman@fcc.gov>
Sent: Wednesday, August 5, 2020 9:22 AM
To: mariep@telcogroupinc.com; juliem@telcogroupinc.com
Cc: Francis Gutierrez <Francis.Gutierrez@fcc.gov>; Stacey Ashton <Stacey.Ashton@fcc.gov>
Subject: Telco Group, Inc. International Signaling Point Code, file no. SPC-NEW-20031009-00041

Mr. Sam Tawfik and Ms. Julie Mathis,

We are reviewing our international signaling point code (ISPC) records. I am writing to inquire whether Telco Group, Inc. is still using the ISPC that it was assigned in 2003 (3-195-1 for use in NY, NY). Please let me know by email or call me at the number below if you have any questions. Thank you,

Artie Lechtman

Federal Communications Commission
International Bureau
202.418.1465